

**CROWELL & MORING** RECEIVED

1001 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D.C. 20004-2595

(202) 624-2500

CABLE: CROMOR

FACSIMILE (RAPICOM): 202-628-5116

W. U. I. (INTERNATIONAL) 64344

W. U. (DOMESTIC) 89-2448

MAR 17 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

SUITE 1200

1010 MAIN STREET  
IRVINE, CALIFORNIA 92714-7217

(714) 263-8400

FACSIMILE (714) 263-8414

DENNING HOUSE

90 CHANCERY LANE

LONDON WC2A 1ED

44-71-413-0011

FACSIMILE 44-71-413-0333

March 17, 1995

Mr. William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: WT Docket No. 95-5

Dear Mr. Caton:

Transmitted herewith for filing with the Commission are an original and four copies of the "Comments of Bell Atlantic Mobile Systems, Inc." in the above-captioned proceeding.

Should there be any questions regarding this matter, please communicate with this office.

Very truly yours,

*John T. Scott, III*

John T. Scott, III

Enclosures

No. of Copies rec'd  
List ABCDE

074

ORIGINAL

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

RECEIVED

MAR 17 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Streamlining the Commission's )  
Antenna Structure Clearance )  
Procedure; Revision of Part 17 )  
of the Commission's Rules )  
Concerning Construction, Marking )  
and Lighting of Antenna Structures )

WT Docket No. 95-5

DOCKET FILE COPY ORIGINAL

COMMENTS OF BELL ATLANTIC MOBILE SYSTEMS, INC.

Bell Atlantic Mobile Systems, Inc. (Bell Atlantic Mobile),<sup>1/</sup> by its attorneys and pursuant to Section 1.415 of the Commission's Rules, hereby submits these comments in support of the Notice of Proposed Rulemaking (NPRM) in this proceeding (FCC 95-16, released January 30, 1995).

The modifications to the Commission's Rules proposed by the NPRM are in the public interest and should be adopted promptly. They will place primary responsibility for maintaining towers and proper lighting and marking on the party in the best position to do so, the tower owner. They will eliminate the need for individual tower lessees to obtain clearance for a new or modified

1/

Bell Atlantic Mobile, either directly or through subsidiaries, partnerships or affiliates, holds authorizations from the Commission to operate cellular radiotelephone systems and point-to-point microwave facilities in numerous markets in the Northeast, Mid-Atlantic, Southeast and Southwest regions of the United States.

antenna, thereby expediting action on applications for new antenna sites and reducing processing burdens on the Commission. And they will provide the Commission and the public for the first time with a comprehensive data base of tower site information, facilitating compliance with and enforcement of the Commission's Rules.

The NPRM (at ¶ 11) proposes several options for implementing the new registration system. BAM supports the first alternative, which would accept registrations by geographic region, but would also permit an owner to submit simultaneous registrations for all towers it owns. The second alternative, registration by antenna height, would be unclear to the public and would not group applications in any meaningful manner. BAM also opposes the third option, which would spread implementation over a ten-year period. This would unjustifiably drag out the registration process, preventing the development of the comprehensive data base for a decade. The Commission has correctly identified the numerous benefits to it and to Commission licensees from a registration system. Those benefits should be made available as rapidly as possible, not delayed by a decade.

BAM also supports the NPRM's approach for cellular licensees. (NPRM at ¶ 13.) As the NPRM recognizes, "internal" cell sites no longer require Commission authorization. If these sites do not involve a tower for which a determination by the Federal Aviation Administration is required, no filing would be necessary. If, however, such a determination is required, the cellular licensee (or the site owner, if a different entity), would be required to obtain that determination and register the site.

BAM also believes that the registration of each tower site should be renewed on a regular basis, and proposes every five years. (NPRM at ¶ 16(d).) This will help maintain the accuracy of the Commission's data base by requiring that tower owners routinely certify that the information on file with the Commission with regard to their tower remains correct.

BAM does not support registration of all antenna structures. (NPRM at ¶ 16(f).) This would flood the registration data base with information as to tens of thousands of sites which pose no aviation safety issue, and burden both the Commission and tower owners. The NPRM notes that the Commission is asked to address radiofrequency radiation at specific sites, including sites not requiring FAA determinations. This, however, does not justify the massive increase in costs and burdens required by a universal tower registration system. If an RF issue occurs at a specific site, the Commission has ample authority to require necessary site and tower information from the site owners and lessees at that time.

In sum, the Commission's proposed new rules will relieve burdens on the Commission and provide better information to the Commission, the FAA, licensees and the public about tower sites. They are in the public interest and should be adopted.

Respectfully submitted,

BELL ATLANTIC MOBILE SYSTEMS, INC.

By: John T. Scott, III  
John T. Scott, III  
CROWELL & MORING  
1001 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(202) 624-2500

Its Attorneys

Dated: March 17, 1995